

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARCUS DUKES,
Plaintiff,

v.

CATHERINE PAPPAS, Senior Trial Counselor,
Securities and Exchange Commission., *et al.*,
Defendants.

:
: CIVIL ACTION
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: No. 09-3869
:
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ORDER

YOHN, J.

And now, this 20th day of July, 2010, pursuant to the authority conferred by 28 U.S.C.

§ 1915(e)(2), it is hereby **ORDERED** that:

1. Leave to proceed *in forma pauperis* is granted.
2. Plaintiff's second amended complaint (Doc. # 12) is **DISMISSED** with prejudice as failing to state a claim upon which relief may be granted.
3. The clerk shall mark this case closed for statistical purposes.

/s/ William H. Yohn Jr.
William H. Yohn Jr., Judge